

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David Kornick et al.

Group Art Unit: 3661

Serial No. 10/759,319

Examiner: Not Yet Assigned

Filed: 01/16/2004

Confirmation No.: 8341

For: Portable Communications Device
Integrating Remote Control Of Rail
Track Switches And Movement Of A
Locomotive In A Train Yard

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

- ☒ 1. Pursuant to 37 CFR 1.97(b)
(within 3 months of filing or prior to 1st Office Action)
- ☐ 2. Certification Pursuant to 37 CFR 1.97(c)
(before Final Office Action or Allowance)
- ☐ 3. Fee Payment Pursuant to 37 CFR 1.97(c)
(before Final Office Action or Allowance)
- ☐ 4. Petition, Certification & Petition Fee Payment Pursuant to 37 CFR
1.97(d) (before issue fee payment)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following are submitted in the above identified application in compliance with
37 CFR 1.97 & 1.98:

- ☒ 5. A list of documents on form PTO-1449 is enclosed herewith.

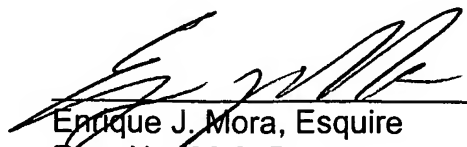
This paper is submitted in accordance with:

- ☒ 6. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- ☐ 7. 37 CFR 1.97(c): [before Final office Action or Allowance, whichever is
earlier; and

- [] 8. The required certification made in item 11 below; or
- [] 9. The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement.
- [] 10. 37 CFR §1.95(d): [before issue fee payment]; and
- a) This is a petition for consideration of the subject Information Disclosure Statement. The petition fee (\$130.00) required by 37 CFR 1.17(i)(1) is authorized in item 14 below. (Direct this letter to: "Attention: PETITIONS EXAMINER" and, if applicable, include batch locator information: e.g., "Allowed Files, Batch _____, Date of Allowance _____"), and
- b) The required Certification is stated in item 11 below.
- [] 11. Certification
- [] (a) Each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;
- or
- [] (b) No item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this document after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three (3) months prior to the filing of this Statement.
- [] 14. Please charge all applicable fees associated with the submittal of this Information Disclosure Statement to Deposit Account No. _____.

An original and two (2) copies of this document are enclosed.

Respectfully submitted,

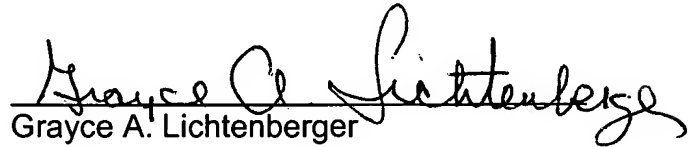


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CERTIFICATE OF MAILING

I HEREBY CERTIFY that this Supplemental Information Disclosure Statement is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 22nd day of December, 2004.


Grayce A. Lichtenberger



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PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/759,319
	Filing Date	01/16/2004
	First Named Inventor	David Kornick
	Art Unit	3661
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	74-HA-133457/10081-010

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2. Information Disclosure Statement Transmittal
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	3. Copies of foreign & non-patent references
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	4. Copy of International Search Report
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Enrique J. Mora (Reg. No. 36,875) Beusse, Brownlee, Wolter, Mora & Maffei, P.A. (Customer No. 29,391)
Signature	
Date	December 22, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Grayce A. Lichtenberger		
Signature		Date	December 22, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Complete if Known	
				Application Number	10/759,319
				Filing Date	01/16/2004
				First Named Inventor	David Kornick
				Art Unit	3661
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	74-HA-133457/10081-010

U.S. PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US-2,951,452	09-06-1960	Karlet	
	2	US-5,437,422 A	08-01-1995	Newman	
	3	US-5,685,507	11-11-1997	Horst et al.	
	4	US-6,135,396	10-24-2000	Whitfield et al.	
	5	US-6,445,150 B1	09-03-2002	Tanner et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	1	DE19743306 A1	04-08-1999	Kleinschmidt		
	2	DE19840715 C1	11-23-2000	Krevet		
	3	DE10117387 A1	10-10-2002	Kalmeyer, et al.		
	4	WO 95/10439	04-20-1995	Young et al.		

Examiner Signature		Date Considered	
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English Language Translation is attached.

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/759,319
				Filing Date	01/16/2004
				First Named Inventor	David Kornick
				Group Art Unit	3661
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	74-HA-133457/10081-010

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials [*]	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	JOE DENNY, ET AL., "Communications-Based Yard Control (CB:YC<TM>) System, Proceedings of the 2000 ASME/IEEE Joint Railroad Conference, Newark, NJ, April 4-6, 2000, Proceedings of the ASME/IEEE Joint Railroad Conference, New York, NY: IEEE, US, 4 April 2000 (2000-04-04), pages 95-110, XPO10512397	

Examiner Signature		Date Considered	
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English Language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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